

08/157195
57 PCT/PTO 8 DEC 1993

LAW OFFICES OF
WEGNER, CANTOR, MUELLER & PLAYER

A PROFESSIONAL CORPORATION
THIRD FLOOR

1233 20TH STREET, N.W.
P.O. BOX 18218
WASHINGTON, D.C. 20036-8218

TELEPHONE: (202) 887-0400
CABLE: "WECAN"
TELEX: 440706 AND 248394

FACSIMILE:
G IV (202) 863-2098
G III (202) 835-0605
G III (202) 659-5537

December 8, 1993

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Attorney Docket No. P-9650-24080.

Re: Transmittal Letter to the United States
Designated/Elected Office (DO/EO/US)
Concerning a Filing Under 35 U.S.C. §371

International Application No.: PCT/EP93/00254.
International Filing Date: February 4, 1993

Priority date claimed: February 5, 1992
Priority application number: P 42 03 178.8

Priority date claimed: October 9, 1992
Priority application number: P 42 34 086.1

Inventorship: Karsten HENCO
Manfred EIGEN
Detlev RIESNER

Title: PROCESS FOR THE DETERMINATION OF IN VITRO
AMPLIFIED NUCLEIC ACIDS

Enclosed herewith for entering the national stage in the United States is the above-referenced international application. **APPLICANT WISHES THAT THE ANNEXES TO THE INTERNATIONAL PRELIMINARY EXAMINATION REPORT REPLACE THE APPROPRIATE PAGES OF THE CLAIMS AS FILED.**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND or SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).

INTERNATIONAL APPLN. NO.: PCT/EP93/00254
ATTORNEY DOCKET NO.: P-9650-24080

4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☐ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
- a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
- b. ☐ has been transmitted by the International Bureau. A copy of Form PCT/IB/308 is attached hereto.
- c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. §371(c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
- a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau)
- b. ☐ have been transmitted by the International Bureau
- c. ☐ have not been made; however, the time limit for making such amendments has NOT expired
- d. ☐ have not been made and will not be made
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. §371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)) is:
- ☒ Attached in the regular manner.
- ☐ NOT included, but deferred under P.L. 97-247.

INTERNATIONAL APPLN. NO.: PCT/EP93/00254
ATTORNEY DOCKET NO.: P-9650-24080

10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5))
11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An Assignment of the invention in favor of the following organization is enclosed for recordation. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.

DIAGEN Institut für molekularbiologische Diagnostik GmbH
Max-Volmer-Straße 4, 40724 Hilden, Federal Republic of Germany

13. ☒ A **FIRST** Preliminary Amendment.
☐ A **SECOND** or **SUBSEQUENT** Preliminary Amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items of information:
☐ Form PCT/RO/101 Request (in English/in French)
☐ Small Entity Declaration Under 37 C.F.R. 1.27
☒ 12 Sheets of Formal Drawings
☐ _____ Sheets of Informal Drawings
- ☒ Kindly appoint as associate attorneys (if not already a principal attorney) or agents:
- Harold C. Wegner, Reg. No. 25,258
 - Helmuth A. Wegner, Reg. No. 17,033
 - Herbert I. Cantor, Reg. No. 24,392
 - Franklin D. Wolffe, Reg. No. 19,724
 - Douglas P. Mueller, Reg. No. 30,300
 - Morris Fidelman, Reg. No. 17,126
 - William E. Player, Reg. No. 31,409
 - Lynn Vandenburg, Reg. No. 31,904
 - Daniel Ellis, Reg. No. 29,312
 - Stephen B. Maebius, Reg. No. 35,264
 - John J. Bruckner, Reg. No. 35,816
 - Bennett M. Celsa, Reg. No. P-37,511

INTERNATIONAL APPLN. NO.: PCT/EP93/00254
ATTORNEY DOCKET NO.: P-9650-24080

[X] The total amount due for the filing fee in this case is:

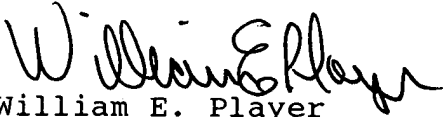
[] Based on Small Entity Status

Total Number of Claims: 38
Total Independent Claims: 1

Basic filing fee, \$950/\$475.	\$ 950.00
Independent Claims above 3, \$74/\$37 ea.. . . .	\$
Total claims in excess of 20, \$22/\$11 ea.. . . .	\$ 396.00
Multiple dependency penalty, \$230/\$115	\$
Declaration surcharge, \$130/65	\$ 130.00
English translation surcharge, \$130	\$
TOTAL FILING FEE DUE	\$1476.00

Please forward all communications regarding this application to the undersigned at the letterhead address.

Respectfully submitted,


By: William E. Player
Reg. No. 31,409

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY FEES WHICH MAY BE REQUIRED OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 23-0783. THIS FORM IS FILED IN DUPLICATE.

THIS IS A GENERAL AUTHORIZATION EXCLUDING ONLY PAYMENT OF THE ISSUE FEE.

Date: December 8, 1993

WEP:clb